THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.1287 of 2006

Dated:21.09.2006

Between
N.R.Sai Kumar

.....Petitioner

and

1.The Mandal Revenue Officer,
Atlur Mandal, Kadapa District
and another

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.1287 of 2006

ORDER:

This writ petition is filed seeking a Mandamus to set aside the proceedings No.E/1689/04 dated 16.11.2005 passed by the 2nd respondent and the consequential notification No.E/1689/04 dated 31.12.2005.

It seems that the authorization of the petitioner for the fair price shop No.147 of Malakjgiri, R.R.District has been cancelled. Further, a notification dated 31.12.2005 was issued for filling up the vacancy caused due to cancellation of petitioner's authorization for the said fair price shop.

There is no necessity to go into all the details. It seems that on a report received from the A.S.O No.II, Uppal against the petitioner stating that he

has contravened the provisions under A.P.PDS-2001, a show cause notice has been issued and served on him, and he has not submitted any explanation so far. Therefore, the authorization of the petitioner was cancelled. Except this, nothing is stated in the proceedings.

Neither any reasons for coming to a conclusion that the authorization of the petitioner is liable to be cancelled are furnished nor the details as to what exactly are the charges framed against the petitioner are recorded. Therefore, I am of the opinion that the impugned proceedings dated 16.11.2005 were passed without following the due procedure as required under law, and the same is liable to be set aside.

In the result, the writ petition is allowed and the impugned order including the notification dated 31.12.2005 are set aside. However, this will not preclude the 2nd respondent-Revenue Divisional Officer from conducting any further enquiry into the matter.

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21-09-2006

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